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Attorney for Plaintiffs

(Additional counsel listed on signature page)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

STEPHEN WENDELL AND LISA WENDELL,
for themselves and as successors in interest to
MAXX WENDELL, DECEASED,

Plaintiffs,

v.

JOHNSON & JOHNSON;
CENTOCOR, INC.;
ABBOTT LABORATORIES;
SMITHKLINE BEECHAM
d/b/a GLAXOSMITHKLINE;
TEVA PHARMACEUTICALS USA;
GATE PHARMACEUTICALS,
a division of TEVA PHARMACEUTICALS USA;
PAR PHARMACEUTICAL, INC.;

Defendants.

Case No: 4:09-cv-04124-CW

**STIPULATED JOINT MOTION FOR
STAY OF PROCEEDINGS AS TO
PLAINTIFFS' CLAIMS AGAINST
ABBOTT LABORATORIES**

1 Plaintiffs Stephen Wendell and Lisa Wendell and Defendant Abbott Laboratories (“Abbott”)
2 hereby jointly move the Court for a stay of proceedings as to Plaintiffs’ claims against Abbott.

3 On April 9, 2014, Plaintiffs and Abbott reached an agreement in principle to settle Plaintiffs’
4 claims against Abbott in this case. The parties are working in good faith to finalize the terms of a
5 settlement agreement, and anticipate that they will be able to execute a final settlement agreement by
6 May 2, 2014. As part of their agreement in principle to settle Plaintiffs’ claims against Abbott and in the
7 interests of efficiency, the parties have agreed that it is in the interest of both parties to stay all
8 proceedings as to Abbott until the parties’ settlement is finalized.

9 Accordingly, Abbott and Plaintiffs respectfully request that the Court grant a stay of proceedings
10 as to Plaintiffs’ claims against Abbott.

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1 DATED: April 11, 2014

Respectfully submitted,

2 /s/ James Maxwell Cooper
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Counsel for Defendant Abbott Laboratories

14 DATED: April 11, 2014

15 /s/ Kevin Haverty
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Counsel for Plaintiffs

19 **PURSUANT TO STIPULATION, IT IS SO ORDERED.** The pretrial conference is continued
20 to July 2, 2014 to give the settling parties time to finalize their settlement before pre-trial filings
21 are due. The trial will not be continued.

24 DATED: April 14, 2014

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24 CLAUDIA WILKEN
25 United States District Judge
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27 ¹ I, James Maxwell Cooper, hereby attest, pursuant to Local Rule 5-1(i), that concurrence in the filing of this document
28 has been obtained from the other signatory.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who have consented to electronic service are being served with a copy of the attached **STIPULATED JOINT MOTION FOR STAY OF PROCEEDINGS AS TO PLAINTIFFS' CLAIMS AGAINST ABBOTT LABORATORIES** via the CM/ECF system on April 11, 2014.

DATED: April 11, 2014

By: /s/ James Maxwell Cooper

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